

District Judge Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MIKHAIL RYABOV,

Plaintiff,

v.

UNITED STATES OF AMERICA, *et al.*,

Defendants.

No. 2:23-CV-844-MJP

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND
~~PROPOSED~~ ORDER

Noted for Consideration:
August 25, 2023

Plaintiff and Defendants, by and through their counsel of record, pursuant to Federal Rule of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to stay these proceedings for 120 days after Plaintiff's asylum interview. Plaintiff brought this litigation pursuant to the Administrative Procedure Act and Mandamus Act seeking, *inter alia*, to compel U.S. Citizenship and Immigration Services ("USCIS") to schedule an interview and adjudicate his asylum application. For good cause, the parties request that the Court hold the case in abeyance until January 17, 2024.

Courts have "broad discretion" to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706 (1997). "[T]he power to stay proceedings is incidental to the power inherent in every court to control

the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ. P. 1.

With additional time, this case may be resolved without the need of further judicial intervention. USCIS’s San Francisco Asylum Office (“SFAO”) has scheduled Plaintiff’s interview for September 19, 2023. Plaintiff agrees to make his best efforts to submit all supplemental documents and evidence to USCIS at least 7 days prior to his interview so that the interview does not need to be rescheduled. SFAO agrees to diligently work towards completing adjudication within 120 days of the interview, absent unforeseen or exceptional circumstances that would require additional time for adjudication. Once adjudicated, the parties anticipate that they will dismiss this case with each party to bear their own litigation costs and attorneys’ fees. To provide SFAO with time to conduct the interview and thereafter adjudicate Plaintiff’s application, the parties request this Court to hold the case in abeyance until January 17, 2024 (120 days after the scheduled interview date). The parties will submit a joint status report on or before January 17, 2024. The parties further request that the Order Regarding Initial Disclosures, Joint Status Report, and Early Settlement (Dkt. No. 10) be vacated.

Dated: August 25, 2023

Respectfully submitted,

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I certify that this memorandum contains 344 words, in compliance with the Local Civil Rules.

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Attorneys for Plaintiff

~~PROPOSED~~ ORDER

The case is held in abeyance until January 17, 2024. The parties shall submit a joint status report on or before January 17, 2024. The Court's Order (Dkt. No. 10) is vacated. It is so **ORDERED.**

DATED this 29th day of August, 2023.



MARSHA J. PECHMAN
United States District Judge